

4VAC15-90-91. Game: Deer: General firearms season either-sex deer hunting days.

Summary:

The proposal is to (i) change the general firearms either-sex deer hunting days for the counties shown in the table below, (ii) align general firearms either-sex deer hunting days on all Department-owned lands with those on National Forests or existing WMA's in Craig, Russell, Smyth, Tazewell, Washington, and Wythe counties, and (iii) allow deer of either sex to be taken full season during the general firearms deer season in any common interest community (e.g., property owners' association) participating in the urban archery season.

City/County/WMA	Change	Current	Proposed
<u>Private Land</u>			
Augusta (private lands)	Increase	7	15
Campbell (west of Norfolk Southern Railroad)	Increase	31	full season
Charles City	Increase	15	31
New Kent	Increase	15	31
Page (private lands)	Increase	3	7
Pittsylvania (west of Norfolk Southern Railroad)	Increase	31	full season
Powhatan	Increase	15	31
Smyth (private lands)	Increase	7	15
<u>Public Land</u>			
Alleghany (National Forest lands)	Increase	0	1
Amherst (National Forest lands)	Increase	0	1
Augusta (National Forest and Department-owned lands)	Increase	0	1
Bath (National Forest and Department-owned lands)	Increase	0	1
Bedford (National Forest lands)	Increase	0	1
Botetourt (National Forest and Department-owned lands)	Increase	0	1
Featherfin WMA	Increase	31	full season
Frederick (National Forest lands)	Increase	0	1
Grayson (National Forest lands and Grayson Highlands State Park)	Increase	0	1
Highland (National Forest lands)	Increase	0	1
Nelson (National Forest lands)	Increase	0	1
Page (National Forest lands)	Increase	0	1
Roanoke (National Forest and Department-owned lands)	Increase	0	1
Rockbridge (National Forest and Department-owned lands)	Increase	0	1
Rockingham (National Forest lands)	Increase	0	1
Russell (Department-owned lands and Channels State Forest)	Increase	0	1
Shenandoah (National Forest lands)	Increase	0	1
Smyth (National Forest lands, Department-owned lands and Hungry Mother State Park)	Increase	0	1
Tazewell (National Forest lands and Department-owned lands)	Increase	0	1
Warren (National Forest lands)	Increase	0	1
Washington (National Forest lands, Department-owned lands and Channels State Forest)	Increase	0	1

Proposed language of amendment:

4VAC15-90-91. General firearms season either-sex deer hunting days.

A. During the general firearms deer season, deer of either sex may be taken within:

Accomack County: full season.

Albemarle County: full season.

Alleghany County: the second Saturday and the last day.

~~-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken the last day.~~

Amelia County: the second and third Saturdays and the last 13 days.

~~-Amelia WMA: the second and third Saturdays and the last six days.~~

Amherst County (east of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River): the second and third Saturdays and the last 29 days.

Amherst County (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River): full season.

~~-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken the last day.~~

Appomattox County: the second and third Saturdays and the last six days.

~~-Appomattox-Buckingham State Forest: the second and third Saturdays.~~

~~-Featherfin WMA: the second and third Saturdays and the last 29 days~~ full season.

Arlington County: full season.

Augusta County: ~~the second Saturday and the last six days~~ full season.

~~-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken the last day.~~

Bath County: the second Saturday and the last day.

~~-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken the last day.~~

Bedford County: full season.

~~-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken the last day.~~

Bland County: the second Saturday and the last day.

~~-National forest lands: the second Saturday and the last day.~~

Botetourt County: full season.

~~-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken the last day.~~

Brunswick County: the second and third Saturdays and the last six days.

Buchanan County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Buckingham County: the second and third Saturdays and the last six days.

~~-Horsepen Lake WMA: the second and third Saturdays and the last six days.~~

~~-Appomattox-Buckingham State Forest: the second and third Saturdays.~~

~~-Featherfin WMA: the second and third Saturdays and the last 29 days~~ full season.

Campbell County (east of Norfolk Southern Railroad): the second and third Saturdays and the last 29 days.

Campbell County (west of Norfolk Southern Railroad): full season.

Caroline County: the second and third Saturdays and the last six days.

~~-Mattaponi WMA: the second and third Saturdays and the last six days.~~

Carroll County: full season.

~~-National forest and department-owned lands: the second Saturday and the last day.~~

Charles City County: the second and third Saturdays and the last ~~13~~29 days.

51 -Chickahominy WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline
 52 may be taken.
 53 Charlotte County: the second and third Saturdays and the last six days.
 54 Chesapeake (City of): the second and third Saturdays and the last 13 days.
 55 Chesterfield County: the second and third Saturdays and the last six days.
 56 Clarke County: full season.
 57 Craig County: full season.
 58 -National forest and Department-owned lands: the second Saturday and the last day.
 59 Culpeper County: full season.
 60 -Chester F. Phelps WMA: the second Saturday and the last day.
 61 Cumberland County: the second and third Saturdays and the last 13 days.
 62 -Cumberland State Forest: the second and third Saturdays.
 63 Dickenson County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may
 64 be taken.
 65 Dinwiddie County: the second and third Saturdays and the last six days.
 66 Essex County: the second and third Saturdays and the last six days.
 67 Fairfax County: full season.
 68 Fauquier County: full season.
 69 -G. Richard Thompson WMA: the second Saturday and the last day.
 70 -Chester F. Phelps WMA: the second Saturday and the last day.
 71 Floyd County: full season.
 72 Fluvanna County: second and third Saturdays and the last 13 days.
 73 Franklin County: full season.
 74 -Philpott Reservoir: the second Saturday and the last six days.
 75 -Turkeycock Mountain WMA: the second Saturday and the last six days.
 76 Frederick County: full season.
 77 -National forest lands: ~~antlered bucks only—no either-sex days. Only deer with antlers above the hairline~~
 78 ~~may be taken the last day.~~
 79 Giles County: full season.
 80 -National forest lands: the second Saturday and the last day.
 81 Gloucester County: the second and third Saturdays and the last six days.
 82 Goochland County: the second and third Saturdays and the last 29 days.
 83 Grayson County: full season.
 84 -National forest lands and Grayson Highlands State Park: ~~antlered bucks only—no either-sex days. Only~~
 85 ~~deer with antlers above the hairline may be taken the last day.~~
 86 Greene County: full season.
 87 Greenville County: the second and third Saturdays and the last six days.
 88 Halifax County: the second and third Saturdays and the last 13 days.
 89 Hanover County: full season.
 90 Henrico County: full season.
 91 Henry County: the second and third Saturdays and the last 13 days.
 92 -Fairystone Farms WMA, Fairystone State Park, and Philpott Reservoir: the second Saturday and the last
 93 six days.
 94 -Turkeycock Mountain WMA: the second Saturday and the last six days.
 95 Highland County: the second Saturday and the last day.
 96 -National forest lands: ~~antlered bucks only—no either-sex days. Only deer with antlers above the hairline~~
 97 ~~may be taken the last day.~~
 98 -Department-owned lands: the second Saturday and the last day.
 99 Isle of Wight County: full season.
 100 -Ragged Island WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline
 101 may be taken.

102 James City County: full season.
 103 King and Queen County: the second and third Saturdays and the last six days.
 104 King George County: the second and third Saturdays and the last 13 days.
 105 King William County: the second and third Saturdays and the last six days.
 106 Lancaster County: the second and third Saturdays and the last 13 days.
 107 Lee County: the second Saturday and the last two days.
 108 -National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline
 109 may be taken.
 110 Loudoun County: full season.
 111 Louisa County: the second and third Saturdays and the last 29 days.
 112 Lunenburg County: the second and third Saturdays and the last six days.
 113 Madison County: full season.
 114 -Rapidan WMA: the second and third Saturdays and the last 29 days.
 115 Mathews County: the second and third Saturdays and the last six days.
 116 Mecklenburg County: the second and third Saturdays and the last six days.
 117 -Dick Cross WMA: the second and third Saturdays and the last six days.
 118 Middlesex County: the second and third Saturdays and the last six days.
 119 Montgomery County: full season.
 120 -National forest lands: the second Saturday and the last day.
 121 Nelson County (east of Route 151): the second and third Saturdays and the last 29 days.
 122 -James River WMA: the second Saturday and the last six days.
 123 Nelson County (west of Route 151): full season.
 124 -National forest lands: ~~antlered bucks only—no either-sex days. Only deer with antlers above the hairline~~
 125 ~~may be taken the last day.~~
 126 New Kent County: the second and third Saturdays and the last ~~13~~29 days.
 127 Northampton County: full season.
 128 Northumberland County: the second and third Saturdays and the last 13 days.
 129 Nottoway County: the second and third Saturdays and the last six days.
 130 Orange County: full season.
 131 Page County: the second Saturday and the last ~~two~~ six days.
 132 -National forest lands: ~~antlered bucks only—no either-sex days. Only deer with antlers above the hairline~~
 133 ~~may be taken the last day.~~
 134 Patrick County: the second and third Saturdays and the last 13 days.
 135 -Fairystone Farms WMA, Fairystone State Park, and Philpott Reservoir: the second Saturday and the last
 136 six days.
 137 Pittsylvania County (east of Norfolk Southern Railroad): the second and third Saturdays and the last 29
 138 days.
 139 -White Oak Mountain WMA: the second Saturday and the last day.
 140 Pittsylvania County (west of Norfolk Southern Railroad): full season.
 141 Powhatan County: the second and third Saturdays and the last ~~13~~29 days.
 142 -Powhatan WMA: the second and third Saturdays and the last 13 days.
 143 Prince Edward County: the second and third Saturdays and the last six days.
 144 -Briery Creek WMA: the second and third Saturdays and the last six days.
 145 -Featherfin WMA: ~~the second and third Saturdays and the last 29 days~~ full season.
 146 -Prince Edward State Forest: the second and third Saturdays.
 147 Prince George County: full season.
 148 Prince William County: full season.
 149 Pulaski County: full season.
 150 -National forest lands: the second Saturday and the last day.
 151 Rappahannock County: full season.
 152 Richmond County: the second and third Saturdays and the last 13 days.

153 Roanoke County: full season.
 154 -National forest and department-owned lands: ~~antlered bucks only—no either sex days. Only deer with~~
 155 ~~antlers above the hairline may be taken the last day.~~
 156 Rockbridge County: the second Saturday and the last two days.
 157 -National forest and department-owned lands: ~~antlered bucks only—no either sex days. Only deer with~~
 158 ~~antlers above the hairline may be taken the last day.~~
 159 Rockingham County: full season.
 160 -National forest lands: ~~antlered bucks only—no either sex days. Only deer with antlers above the hairline~~
 161 ~~may be taken the last day.~~
 162 -Private lands west of Routes 613 and 731: the last day.
 163 Russell County: the second Saturday and the last two days.
 164 -Department-owned lands ~~Clinch Mountain WMA, Hidden Valley WMA, and the Channels State Forest:~~
 165 ~~antlered bucks only—no either sex days. Only deer with antlers above the hairline may be taken the last~~
 166 ~~day.~~
 167 Scott County: the second Saturday and the last six days.
 168 -National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline
 169 may be taken.
 170 Shenandoah County: full season.
 171 -National forest lands: ~~antlered bucks only—no either sex days. Only deer with antlers above the hairline~~
 172 ~~may be taken the last day.~~
 173 Smyth County: ~~the second Saturday and the last six days~~ full season.
 174 -National forest and Department-owned lands, ~~Clinch Mountain WMA~~, and Hungry Mother State Park:
 175 ~~antlered bucks only—no either sex days. Only deer with antlers above the hairline may be taken the last~~
 176 ~~day.~~
 177 Southampton County: full season.
 178 Spotsylvania County: the second and third Saturdays and the last 29 days.
 179 Stafford County: full season.
 180 Suffolk (east of the Dismal Swamp Line): the second and third Saturdays and the last 13 days.
 181 Suffolk (west of the Dismal Swamp Line): full season.
 182 Surry County: full season.
 183 -Carlisle and Stewart Tracts of the Hog Island WMA: antlered bucks only—no either-sex days. Only deer
 184 with antlers above the hairline may be taken.
 185 Sussex County: full season.
 186 - Big Woods WMA (including the Parkers Branch Tract) and Big Woods State Forest: the second and third
 187 Saturdays and the last six days.
 188 Tazewell County: the second Saturday and the last two days.
 189 -National forest and Department-owned lands ~~and Clinch Mountain WMA: antlered bucks only—no either-~~
 190 ~~sex days. Only deer with antlers above the hairline may be taken the last day.~~
 191 Virginia Beach (City of): the second and third Saturdays and the last 13 days.
 192 Warren County: full season.
 193 -National forest lands: ~~antlered bucks only—no either sex days. Only deer with antlers above the hairline~~
 194 ~~may be taken the last day.~~
 195 Washington County: the second Saturday and the last six days.
 196 -National forest and Department-owned lands, ~~Clinch Mountain WMA, Hidden Valley WMA, and the~~
 197 ~~Channels State Forest: antlered bucks only—no either sex days. Only deer with antlers above the hairline~~
 198 ~~may be taken the last day.~~
 199 Westmoreland County: the second and third Saturdays and the last 13 days.
 200 Wise County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be
 201 taken.
 202 Wythe County: full season.
 203 -National forest and Department-owned lands ~~and Big Survey WMA: the second Saturday and the last day.~~

204 York County: full season.

205

206 B. Except as provided in the subsection A of this section, deer of either sex may be taken full season during
207 the general firearms deer season within the incorporated limits of any city or town, state park, national
208 wildlife refuge, or military installation that allows deer hunting, or within any common interest community
209 participating in the special urban archery season according to provisions of 4VAC15-90-70.

Rationale:

Since the previous regulation amendment cycle, deer program staff developed a new approach to establishing deer population objectives, per the 2015-2024 Virginia Deer Management Plan. Long-term target levels for deer populations are now established for each county and the three cities of Chesapeake, Suffolk, and Virginia Beach. As in the past, the direction of change needed to meet the target levels (increase, decrease, stabilize) will still be identified for each unit. The new target levels and needed changes were reviewed by regional and administrative Department staff, and under a process outlined in the plan, the stakeholder advisory committee from the 2015 planning process also reviewed the changes. A description of this new approach, along with updated objectives, can be viewed on the Department's website at:

<https://www.dgif.virginia.gov/wp-content/uploads/2019-Updated-Deer-Population-Objectives.pdf>.

Augusta County (private lands). Newly adopted deer population objectives recommend a deer population reduction on private lands in Augusta County. The private land deer population index in Augusta County has demonstrated a significant 28% increase over the past decade and increased 21% over the past five years (not statistically significant). In addition, the number of deer killed on out-of-season deer kill permits has increased significantly in Augusta County over the past decade or more. Over the past five years, the number of deer killed on out-of-season deer kill permits in Augusta County has ranged from 362 to 842 annually and averaged 583. Lastly, Augusta County is among the top counties for reported deer-vehicle collisions. The deer management staff proposes that either-sex deer hunting opportunities be expanded in this area at this time.

Campbell County (west of Norfolk Southern Railroad) and Pittsylvania County (west of Norfolk Southern Railroad). Deer hunting in both of these counties is split by an historical "dog line" where deer hunting with dogs is allowed east of the line but prohibited west of the line. Anecdotal data and observations indicate that deer densities in both counties are higher west of the dog line than east of the dog line. In addition, the number of deer killed on out-of-season deer kill permits has increased significantly in western Pittsylvania County over the past decade or more. Over the past five years, the number of deer killed on out-of-season deer kill permits in Pittsylvania County has ranged from 462 to 523 annually and averaged 487. Deer management staff has received several requests for increased either-sex deer hunting opportunities in western Pittsylvania County from farmers experiencing significant crop damage from deer. The deer management staff proposes that either-sex deer hunting opportunities be expanded in this area at this time. The regulation change in western Campbell County is being made to maintain a consistent either-sex day deer season regulation in that area west of Norfolk Southern Railroad.

Charles City County. In fall 2014 this county was hit hard by the worst outbreak of Hemorrhagic Disease (HD) documented in Virginia in decades and the deer kill fell 31%. To address the situation, in fall 2015 the Department cut the number of either-sex deer hunting days from full season to 30 days. In fall 2017, the number of either-sex deer hunting days was cut again from 30 to 15 days. Charles City County is currently at its desired deer population index objective, but has historically stayed well above this desired level. The deer management staff in this area believes that the deer herd in this county is recovering and would like to be proactive in beginning to increase the number of either-sex deer hunting days.

New Kent County. Past and newly adopted deer population objectives recommend a deer population reduction in New Kent County. This reduction objective has been in large part due to the fact that New Kent County has seen a dramatic increase in the human population over the past 20 years and this trend is predicted to continue. The deer management staff proposes that either-sex deer hunting opportunities be expanded in this area at this time.

Page County (private lands). Newly adopted deer population objectives recommend a deer population reduction on private lands in Page County. The private land deer population index in Page County has demonstrated a significant 29% increase over the past decade. Page County has had the same private land firearms either-sex day deer regulation for the past 17 consecutive years with no changes. The deer management staff proposes that either-sex deer hunting opportunities be expanded in this area at this time.

Powhatan County. In fall 2014 this county was hit hard by the worst outbreak of Hemorrhagic Disease (HD) documented in Virginia in decades and the deer kill fell 35%. Past and newly adopted deer population objectives recommend a deer population reduction in Powhatan County. This reduction objective is a result of the fact that Powhatan County has seen a dramatic increase in the human population over the past 20 years and this trend is predicted to continue. The deer management staff proposes that either-sex deer hunting opportunities be expanded in this area at this time.

Smyth County (private lands). Newly adopted deer population objectives recommend a deer population reduction on private lands in Smyth County. The private land deer population index in Smyth County has demonstrated a significant 26% increase over the past decade and the county has had the same private land firearms either-sex deer hunting regulation over that same time frame. The deer management staff proposes that either-sex deer hunting opportunities be expanded in this area at this time.

Alleghany, Amherst, Augusta, Bath, Bedford, Botetourt, Frederick, Grayson, Highland, Nelson, Page, Roanoke, Rockbridge, Rockingham, Russell, Shenandoah, Smyth, Tazewell, Warren, and Washington (public lands). Over the past 25 years the Department has seen a significant decline in the public land deer kill west of the Blue Ridge Mountains. Since the mid 1990's, there has been an approximate 42% decline in the number of western public land deer hunters and a concurrent 67% decline in the deer kill on western public lands. To address this decline, the number of either-sex deer hunting days on public lands has been reduced significantly over the past decade or so. Doe kill numbers and levels on public lands in many western counties are the lowest in decades. The western public land deer kill decline appears to have bottomed out, but it has not recovered. Status and trends are similar for counties with differing either-sex day opportunities on public lands (e.g., buck only, one day, two days), suggesting that other factors besides number of either-sex days are impacting the deer populations in these areas (e.g., habitat, hunter effort).

At the same time that the Department has been cutting western public land either-sex deer hunting days, it has also been receiving comments from numerous western public land deer hunters asking for more either-sex deer hunting opportunities. Recent declines in both the number of hunters and the deer harvest on these lands may be due, in part, to the lack of an opportunity for hunters to harvest an antlerless deer during the firearms season in many counties. The deer management staff proposal to reopen one firearms either-sex deer hunting day on public land in 20 western counties is an attempt to balance public land hunter opportunity with deer regulations that are still conservative enough to allow for deer population growth.

Featherfin WMA firearms either-sex deer hunting. With the exception of the early archery season, all deer hunting on Featherfin WMA is done by quotas. Department staff have seen an increase in deer numbers on the area and proposes increasing the antlerless deer kill on the area.

Public land either-sex day regulation language change in Craig, Russell, Smyth, Tazewell, Washington, and Wythe counties. The proposed language will provide consistency in general firearms either-sex deer

hunting days on public lands in these counties, following the same approach used in the majority of other western counties. This regulation change will result in a reduction in the number of either-sex deer hunting days on the Department's Buller, Marion, Paint Bank, and Wytheville fish hatchery properties. All of these hatchery properties are either adjacent to or in close proximity to national forest lands and logically should be managed consistently with national forest lands and other Department-owned properties.

HOA full season either-sex deer hunting. A proposed amendment to 4VAC15-90-70 would make common interest communities, as defined in §55-528 of the Code of Virginia, eligible to participate in the urban archery season with Department approval. The current proposal would provide these communities with the same opportunities to harvest antlerless deer during the general firearms season as are currently available in cities and towns. Without this change, hunters in participating common interest communities could take antlerless deer on designated general firearms deer season either-sex hunting days, which are limited in many counties.